

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE**

CHRISTOPHER M. STEVENS,)	
)	
Petitioner)	
)	CAUSE NO. 4:03-CV-005 AS
v.)	
)	
DANIEL McBRIDE,)	DEATH PENALTY CASE
)	
Respondent)	

OPINION AND ORDER

The United States Court of Appeals for the Seventh Circuit has now issued an amended mandate. Attached to it is a Corrected Judgment With Oral Argument which direct this court,

to issue a writ of habeas corpus that vacates the current sentence of capital punishment. The State of Indiana is free to conduct a new death penalty hearing, providing that it files appropriate documents seeking such relief within 120 days of the mandate from this court.

Docket 106 at 2.

For the foregoing reasons, the court **GRANTS** the Writ of Habeas Corpus and **VACATES** the Death Sentence imposed on Christopher M. Stevens. The court notes that the Circuit's Corrected Judgment provides for filing documents seeking a new death penalty hearing within 120 days of the Mandate (which was issued September 5, 2007), not from the Amended Mandate (which was issued September 28, 2007).

IT IS SO ORDERED.

Dated: October 1, 2007

/s/ Robert L. Miller, Jr.
CHIEF JUDGE
UNITED STATES DISTRICT COURT